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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 JOHN DAVID GANN,

11 Petitioner,

12 No. CIV S-00-1644 GEB CMK P

13 vs.

14 ROBERT L. AYERS, JR, et al.,

15 Respondents.

ORDER

16 _____/
17 Petitioner, a state prisoner proceeding pro se, has
18 filed an application for a writ of habeas corpus pursuant to 28
19 U.S.C. § 2254. The matter was referred to a United States
20 Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local
21 General Order No. 262.

22 On March 3, 2005, the magistrate judge filed findings
23 and recommendations herein which were served on petitioner and
24 which contained notice to petitioner that any objections to the
25 findings and recommendations were to be filed within twenty days.
26 Petitioner has filed objections to the findings and
recommendations.

1 In accordance with the provisions of 28 U.S.C.
2 § 636(b)(1)(C) and Local Rule 72-304, this court has conducted a
3 de novo review of this case. Having carefully reviewed the
4 entire file, the court finds the findings and recommendations to
5 be supported by the record and by proper analysis.

6 Accordingly, IT IS HEREBY ORDERED that:

7 1. The findings and recommendations filed March 3,
8 2005, are adopted in full; and

9 2. This action is dismissed with prejudice.

10 Dated: August 30, 2005

11 /s/ Garland E. Burrell, Jr.
12 GARLAND E. BURRELL, JR.
13 United States District Judge
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